

### **REMARKS**

In the above-identified office action the Examiner has rejected claims 2, 4, 5, 6 and 8 as being anticipated by the patent to Abe. The Examiner has stated *inter alia* that Abe teaches "perforating a CMP process to remove the metal layer of 113 on the layer 111/liner and cut/perforate the layer 108/auxiliary layer (Col. 3, lines 10-16, Fig. 1F also shows the layer 111 is cut/perforated)". Applicants have amended claim 8 so that it now reads that the method comprises perforating said liner and said auxiliary layer to form a plurality of perforations. This is not shown by Abe. Contrary to the Examiner's assertions, there is no disclosure in Abe that his layer is perforated, much less perforated to form a plurality of perforations. As stated in the specification formation of the perforations in the auxiliary layer allows the resist to be undercut and more easily removed. This is not a feature recognized or suggested by Abe. Accordingly, with the above amendments Applicants believe that the rejected claims now recite over Abe.

The Examiner has also rejected claim 3 as being unpatentable over Abe in view of Li et al. Li does not cure the defect of Abe in that it does not teach or suggest the use of perforations to allow the undercutting of the resist and, as such, claim 3 is patentable as well.

Claim 7 has been rejected as unpatentable in view of Schwalke et al. Schwalke also does not teach perforating the auxiliary layer in order to permit an undercutting of the resist and accordingly does not cure the defects in Abe. As a result, Applicants believe claim 7 to also be patentable.

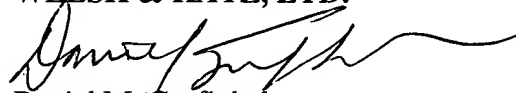
Serial No. 09/933,304

Applicants hereby request reconsideration and reexamination thereof.

With the above amendments and remarks, this application is considered ready for allowance and Applicants earnestly solicit an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned at the below-listed number.

Respectfully submitted,

**WELSH & KATZ, LTD.**



Daniel M. Gurfinkel

Registration No. 34,177

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**WELSH & KATZ, LTD.**

120 South Riverside Plaza

22nd Floor

Chicago, Illinois 60606-3913

Telephone: 312/655-1500